

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ASAP TECHNICAL SERVICE INC. and
JACOB WINDING dba TOP TO BOTTOM
CLEANING SERVICE,

Plaintiffs,

v.

RECONTRUST COMPANY, BANK OF
AMERICA, N.A., et al.,

Defendants.

Case No. [5:15-cv-01608-HRL](#)

**ORDER DIRECTING PLAINTIFF TO
SHOW CAUSE WHY THIS CASE
SHOULD NOT BE DISMISSED**

Pro se plaintiff Jacob Winding¹ filed this suit on April 8, 2015 over the alleged unlawful foreclosure of certain real property. In the nearly four months since the complaint was filed, there has been no apparent activity in this matter. The deadline for service of the complaint and summons on each defendant is August 6, 2015. Fed. R. Civ. P. 4(m). Thus far, with less than two days remaining before that deadline passes, there is no indication that any defendant has been served. Additionally, plaintiff did not appear for the August 4, 2015 initial case management


¹ Plaintiff also purports to represent the interests of ASAP Technical Service, Inc. and Top to Bottom Cleaning Service. Such entities, however, may only appear in this litigation through a lawyer. See Civ. L.R. 3-9(b) (“A corporation, unincorporated association, partnership or other such entity may appear only through a member of the bar of this Court”); see also Rowland v. California Men’s Colony, 506 U.S. 194, 201-02 (1993) (“It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel”); In Re Highley, 459 F.2d 554, 555 (9th Cir. 1972) (“A corporation can appear in a court proceeding only through an attorney at law”).

conference.

Accordingly, plaintiff Jacob Winding shall file a written response to this order, showing cause why this case should not be dismissed for his apparent inattention to it and failure to prosecute. Plaintiff's response must be filed by **August 26, 2015**. If plaintiff fails to submit a response as ordered by August 26, this court will, without further briefing or hearing, recommend that this case be dismissed.

SO ORDERED.

Dated: August 5, 2015



HOWARD R. LLOYD
United States Magistrate Judge

United States District Court
Northern District of California

5:15-cv-01608-HRL Notice sent by U.S. Mail on August 5, 2015 to:

Jacob Winding
6 West Main Street, Suite N
Stockton, CA 95202

United States District Court
Northern District of California